

**ATTACHMENT 1**

**Responses to Questions 9-12 and 15  
on the IBFS International Section 214 Application  
and Information Required by 47 C.F.R. § 63.18:**

(d) Telecomunicações de São Paulo S.A.-TELESP (“TELESP” or “Applicant”) has not previously received authority under Section 214 of the Communications Act of 1934, as amended (the “Act”). However, the Applicant is affiliated with several entities which have received Section 214 authorizations, most recently, Communication Technology, Inc. (F.C.C. File No. ITC-214-20011029-00541) and Telefónica Data USA, Inc. (F.C.C. File No. ITC-214-20000602-0036).

(e) The Applicant is herein requesting authority under Section 214 to provide facilities-based international services and to resell the international services of common carriers authorized by the Commission, including international private lines interconnected with the public switched network to the extent permitted by the Commission’s rules, for the provision of international basic switched, private line, data, television, and business on the U.S.-Brazil route only pursuant to Sections 63.16, 63.18(e)(1) and (2), 63.21, and 63.23 of the Commission’s rules (47 C.F.R. §§63.16, 63.18(e)(1), 63.18(e)(2), 63.21, and 63.23), as well as any and all other rules and regulations of the Commission applicable thereto. The Applicant hereby certifies that it will comply with the terms and conditions contained in Sections 63.21, 63.22, and 63.23 of the Commission’s rules (47 C.F.R. §§ 63.21-23).

(f) At this time, the Applicant seeks no other authority available under Section 63.18(e) of the Commission’s rules (47 C.F.R. §63.18(e)).

(g) The Applicant is seeking facilities-based and resale authority under Section 63.18(e) of the Commission's rules (47 C.F.R. §63.18(e)) to provide international services on the U.S.-Brazil route. The grant of this application will not constitute an action that has a significant environmental effect as defined in Section 1.1307 of the Commission's rules (47 C.F.R. §1.1307). Accordingly, this action is categorically excluded from environmental processing under Section 1.1306 of the Commission's rules (47 C.F.R. §1.1306) and the environmental assessment in Section 1.1311 of the Commission's rules (47 C.F.R. §1.1311) need not be submitted with this application.

(h) The information requested by Section 63.18(h) of the Commission's rules (47 C.F.R. §63.18(h)) is provided in Attachment 2 to this application pursuant to Question 14 of the International Bureau's electronic application.

(i) The Applicant certifies that it is a foreign carrier from Brazil. In addition, the Applicant is affiliated with other foreign carriers in Brazil as well as foreign carriers in Argentina, Austria, Canada, Chile, Colombia, Cuba, El Salvador, Guatemala, Italy, Mexico, Morocco, Peru, Spain, Uruguay and Venezuela.

(j) The Applicant certifies that it seeks to provide service to Brazil, in which the Applicant is a foreign carrier. Because the Applicant seeks to provide service on the U.S.-Brazil route only, the Applicant certifies that it does not seek to provide service to any other country in which (1) the Applicant is a foreign carrier; or (2) the Applicant controls a foreign carrier; or (3) two or more foreign carriers (or parties that control foreign carriers) together own more than 25

percent of the Applicant and are parties to, or beneficiaries of, a contractual relation affecting the provision or marketing of international basic telecommunications services in the United States.

The Applicant also certifies that it is a subsidiary of SP Telecomunicações Holding, S.A. (“SP”) and Telefónica Internacional, S.A. (“TISA”). TISA is a wholly owned subsidiary of Telefónica, S.A. (“Telefónica”), which directly or indirectly controls foreign carriers or holds a 25 percent or greater interest in the following foreign carriers from Brazil:

- Through its subsidiaries Telefónica Móviles, S.A., and Tele Sudeste Celular, Telefónica holds a controlling interest in the following two Brazilian wireless carriers (1) Telerj Celular S.A. (Rio de Janeiro); (2) Telest Celular S.A. (Espírito Santo);

- Through its subsidiaries Telefónica Móviles, S.A., and Celular CRT Participacoes, Telefónica holds a controlling interest in the local wireless carrier Celular CRT S.A. (previously a part of the local wireline carrier, Companhia Riograndense de Telecomunicações S.A.);

- Through its subsidiary Tele Leste Celular, Telefónica holds a controlling interest in the following two local wireless carriers: (1) Telebahía Celular S.A., and (2) Telergipe Celular S.A; and

- Through its subsidiaries Telefónica DataCorp, Telefónica Data Brasil Ltda. and Telefónica Data Brasil Holding S.A., Telefónica holds a controlling interest in Telefónica Empresas, which provides data services in Brazil.

(k) The Applicant certifies that it is a foreign carrier from Brazil. The Applicant seeks to provide service on the U.S.-Brazil route only. Brazil is a member of the World Trade Organization (“WTO”) (See [http://www.wto.org/english/thewto\\_e/whatis\\_e/tif\\_e/org6\\_e.htm](http://www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm)).

(l) The Applicant will file the requisite quarterly traffic reports for traffic on the U.S.-Brazil route, as required by Section 43.61(c) of the Commission's rules, 47 C.F.R. §43.61(c).

(m) The Applicant is entitled to non-dominant classification on the U.S.-Brazil route. The Applicant controls carriers that control far less than 50 percent of the relevant international transport and local markets in Brazil. The Applicant, therefore, qualifies for a presumption of non-dominance on this route under Section 63.10(a)(3) of the Commission's rules (47 C.F.R. §63.10(a)(3)).

(n) The Applicant certifies that it has not agreed and will not agree in the future to accept any direct or indirect special concessions from any foreign carrier with respect to any United States international route where any such foreign carrier possesses market power on the foreign end of the route.

(o) The Applicant certifies, pursuant to Sections 1.2001 through 1.2003 of the Commission's rules (47 C.F.R. §§ 1.2001-1.2003), that no party to this application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988 (21 U.S.C. § 853a).

(p) This Application qualifies for streamlined processing. The Applicant controls far less than 50 percent of the relevant international transport and local markets on the U.S.-Brazil route. The Applicant, therefore, qualifies for a presumption of non-dominance on this route and thus is entitled to streamlined processing.

(q) With specific regard to Applicant's request for authorization to use international simple resale ("ISR") on the U.S.-Brazil route, Applicant hereby certifies that Brazil is currently

listed on the Commission's list of countries for which ISR is already authorized (see  
<http://ftp.fcc.gov/ib/isr.html>).